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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**

8 EXP PHARMACEUTICAL SERVICES
9 CORP., a California company,
10 plaintiff,

Case No. CV 15-01197-PHX-JAT

11 vs.

ORDER

12 BESTIT.COM, INC., an Arizona Company
13 defendant.

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15 The parties filed a stipulated protective order to: “prohibit[] the public release of
16 confidential, personal, private, financial and proprietary information of the parties
17 herein....”

18 Global protective orders are not appropriate. *See AGA Shareholders, LLC v. CSK*
19 *Auto, Inc.*, 2007 WL 4225450, at *1 (D. Ariz. Nov. 28, 2007). Rule 26(c) requires a party
20 seeking a protective order to show good cause for issuance of such an order. Fed. R. Civ. P.
21 26(c)(1). “For good cause to exist under Rule 26(c), ‘the party seeking protection bears the
22 **burden of showing specific prejudice or harm will result if no protective order is**
23 **granted.**” *AGA Shareholders*, 2007 WL 4225450, at *1 (emphasis added) (quoting *Phillips*
v. G.M. Corp., 307 F.3d 1206, 1210-11 (9th Cir. 2002)). The party seeking protection “**must**
make a ‘particularized showing of good cause with respect to [each] individual

1 **document.”** *Id.* (emphasis added) (quoting *San Jose Mercury News, Inc. v. U.S. Dist. Ct.*,
2 187 F.3d 1096, 1102 (9th Cir. 1999)).

3 Thus, “[t]he burden is on the party to requesting a protective order to demonstrate
4 that (1) the material in question is a trade secret or other confidential information within the
5 scope of Rule 26(c), and (2) disclosure would cause an identifiable, significant harm.” *Foltz*
6 *v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1131 (9th Cir. 2003) (quoting *Deford v.*
Schmid Prods. Co., 120 F.R.D. 648, 653 (D. Md. 1987)).

7 Here, while the parties have offered categories of documents they intend to mark as
8 confidential; they have failed to make a particularized showing as to what such documents
9 would be or why the documents would qualify for protection under Federal Rule of Civil
10 Procedure 26(c). Therefore,

11 **IT IS ORDERED** that the stipulation for protective order (Doc. 28) is denied
12 without prejudice.

13 Dated this 14th day of December, 2015.

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16 James A. Teilborg
17 Senior United States District Judge
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